

**Subpart C—Requirements  
Applicable to Charter Operators**

**§ 380.20 Relief from the Act.**

(a) Charter operators and foreign charter operators are hereby relieved from the following provisions of the Federal Aviation Act of 1958, as amended, only if and so long as they comply with the provisions of this part and the conditions imposed here, and to the extent necessary to permit them to organize and arrange Public Charters:

(1) Section 401.

(2) Section 402.

(3) Section 403.

(4) Section 404(a), except the requirement to provide adequate service in connection with Public Charters operated hereunder.

(5) Section 405(b).

(6) Section 407 (b) and (c).

(7) If foreign charter operators receive interstate or overseas air transportation rights, any other provision of the Act that would otherwise prohibit them from organizing and arranging Public Charters in interstate or overseas air transportation.

(b) [Reserved]

(Secs. 102, 204, 401, 402, and 416 of the Federal Aviation Act of 1958, as amended, 92 Stat. 1706, 72 Stat. 743, 754, 757, 92 Stat. 1731; (49 U.S.C. 1302, 1324, 1371, 1372, 1386))

[SPR-166, 44 FR 50832, Aug. 30, 1979, as amended by SPR-179, 46 FR 56607, Nov. 18, 1981; SPR-188, 47 FR 19691, May 7, 1982; 50 FR 31142, July 31, 1985]

**§§ 380.21—380.22 [Reserved]**

**§ 380.23 Charters that originate in a foreign country.**

(a) The Board declines to exercise jurisdiction over foreign charter operators with respect to Public Charters which originate in a foreign country. The Board reserves the right to exercise its jurisdiction over any foreign charter operator at any time it finds that such action is in the public interest.

(b) Notwithstanding the other provisions of this part, a charter operator who is a citizen of the United States shall not be subject to the following requirements with respect to Public Charters that originate in a foreign country:

§ 380.25

§ 380.28

§ 380.30–380.35

(Secs. 101(3), 204, 401, 402, 404, 407, 411, 416, and 1102 of the Federal Aviation Act of 1958, as amended, 72 Stat. 737, 743, 754, 757, 760, 766, 769, 771, 791, 49 U.S.C. 1301, 1324, 1371, 1372, 1374, 1377, 1381, 1386, and 1502)

[SPR-156, 44 FR 12979, Mar. 9, 1979]

**§ 380.24 Suspension of exemption authority.**

The Board reserves the power to suspend the exemption authority of any charter operator, without hearing, if it finds that such action is necessary in order to protect the rights of the traveling public.

**§ 380.25 Prospectus filing and related requirements.**

A charter operator may organize and operate a Public Charter only in accordance with this part, and subject to the following conditions:

(a) No charter operator shall operate, sell, receive money from any prospective participant for, or offer to sell or otherwise advertise a charter or series of charters until at least 10 days after filing with the Board (Special Authorities Division, Bureau of Pricing and Domestic Aviation) a Public Charter prospectus as described in § 380.28.

(b) If within 10 days after the filing the Board notifies the charter operator that it has rejected the prospectus for noncompliance with this part, the prohibitions set forth in paragraph (a) of this section shall continue until the Board notifies him that it has accepted the prospectus.

(c) The following deviations from a filed prospectus may be made only in accordance with paragraph (d) of this section:

(1) The addition or cancellation of any flight;

(2) A change in any flight date, origin city, or destination city; and

(3) A change in or addition of any direct air carrier, securer, or depository bank.

(d) The charter operator shall amend the prospectus to reflect any change described in paragraph (c) of this section. The amendment shall be filed in